

AGENDA MEMO

CITY COUNCIL MEETING DATE: MARCH 7, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ZON-17693 - APPLICANT: RICHMOND AMERICAN HOMES - OWNERS: SHARON TURBIVILLE, DELMAR DINKINS, AND TERRY & KATHRYN KARAS

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.
2. A Site Development Plan Review (SDR-17694) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.
3. The approval shall be for an R-PD5 with a maximum of 40 lots.

Public Works

4. Coordinate with the City Surveyor to determine if mapping this site as a Merger and Resubdivision is appropriate; comply with the recommendations of the City Surveyor.
5. Dedicate an additional 5 feet of right-of-way for a total radius of 20 feet on the northeast and southeast corners of Bradley Road and Solar Avenue.
6. Construct half-street improvements on Bradley Road and half street and full width street improvements as appropriate on Solar Avenue, including transition paving, adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

7. A minimum of two lanes of asphalt pavement on the major access streets adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a rezoning from R-E (Residence Estates) to R-PD6 (Residential Planned Development - 6 Units Per Acre) on 7.27 acres adjacent to the northeast and southeast corners of Bradley Road and Solar Avenue. A related Site Development Plan Review (SDR-17694) will also be considered on this agenda.

The density of development that would be permitted by the proposed R-PD6 (Residential Planned Development - 6 Units Per Acre) is out of character with adjacent development and the property would be best used for development that is more compatible with nearby subdivisions.

BACKGROUND INFORMATION

<i>Pre-Application Meeting</i>	
10/04/06	Bradley Road Equestrian Trail and open space requirements discussed.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Previous city action</i>	
02/08/07	The Planning Commission recommended approval of companion item SDR-17694 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/ar).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.27 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Three single family dwellings	ML (Medium-Low Density Residential)	R-E (Residence Estates)
North	One single family dwelling, two vacant lots	ML (Medium-Low Density Residential)	R-E (Residence Estates)
South	Two single family dwellings	ML (Medium-Low Density Residential)	R-E (Residence Estates)

East	Single family dwellings	ML (Medium-Low Density Residential)	R-PD5 (Residential Planned Development – 5 Units Per Acre)
West	Single family dwellings	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails	X		Y
Rural Preservation Overlay District		X	

DEVELOPMENT STANDARDS

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-E	2 du/ac	16	R-PD6	6.49 du/ac – 47 units	ML	8.49 du/ac 61 units for this site

Per 19.06 Open Space

<i>Total Acreage</i>	<i>Density</i>	<i>Provided</i>		<i>Required</i>		<i>Compliance</i>
		<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
7.27 acres	5.5 du/ac	10.6 %	33,706 sf	9 %	28,739 sf	Y

ANALYSIS

Pursuant to Title 19.06; The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. As with previous versions of this Title, the R-PD District represents an exercise of the City Council's general zoning power as set forth in NRS Chapter 278. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. The minimum site area that is eligible for rezoning to the R-PD zoning district is five acres. The applicant is seeking a change to an R-PD6 (Residential Planned Development - 6 Units Per Acre) zone.

This site is currently developed with three dwellings in an R-E (Residence Estates) zoning district. The applicant proposes to demolish those structures and redevelop the parcels with a 40-lot residential subdivision. The lot sizes range from 4,241 square feet to 7,193 square feet. Access to the subdivision will be provided by Bradley Road. Lots will front on one of three 39-foot wide private streets or on Solar Avenue, a 60-foot wide public right-of-way which bisects the site. As required by the Recreation Trails Element of the Master Plan, a 30-foot wide equestrian trail is shown along the west edge of the site, adjacent to Bradley Road. The elevations depict two-story stucco buildings with a maximum height of 30 feet.

Common lot areas with landscaping and walkways are proposed. However per Title 19.06.040 (G)(5); a sidewalk system shall be provided to connect all residential areas to required open space and common recreational facilities. Common lots A and B have no sidewalk to them making them inaccessible except from the private street.

The proposed change in density is significant, as the typical size of the lots that border the subject site to the east are 4,500 square feet, and the typical size of the lots on the west side of Bradley Road are 6,500 square feet.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

- 1. "The proposal conforms to the General Plan."**

The subject proposal complies with the density requirements of the ML (Medium-Low Density Residential) land use designation. However, Program B1.4 of the Centennial Hills Sector Plan is intended to "Encourage the development of random vacant infill lots in substantially developed, single-family neighborhoods at densities similar to existing development. The densities proposed for the subject site are not similar to existing development and; therefore, do not comply with the intent of the Centennial Hills Sector Plan.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed project calls for the development of a 40 lot dwelling subdivision with a proposed density of 5.5 units per acre in an area best suited for lower density residential use. The proposed project is out of character with adjacent development and the property would be best used for development that more closely matches the density of existing development. In addition the project does not meet the standards of Title 19.06.04 (G) (6) for open space. Therefore, denial of this request is recommended.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

While the growth that the city of Las Vegas faces indicates the need for this type of development, staff finds that the location of such a development would be better suited for an area currently zoned for medium to high density residential uses.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The site will receive adequate access from Bradley Road, an 80-foot wide local street.

PLANNING COMMISSION ACTION

There were two speakers with comments and concerns regarding the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 521 by Planning Department

APPROVALS 0

PROTESTS 1